

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Shmuel Wolf

Serial No.: 10/588,410

Filed: March 12, 2007

For: WATERMELON VARIETIES HAVING
ALTERED SUGAR RATIOS

Group Art Unit: 1638

Examiner: Kubelik, Anne R.

Atty. Dkt. No.: SEMS:126US

Confirmation No.: 8811

**RESPONSE TO REQUEST FOR INFORMATION UNDER
37 C.F.R. § 1.105**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the 37 C.F.R. § 1.105 Request for Information dated April 15, 2010 for which the date for response is October 15, 2010 in view of the enclosed request for extension of time and fees. Should any additional fees be due in connection with this paper, consider this paragraph a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from SNR Denton US LLP Deposit Account No. 19-3140/SEMS:0126US.

REMARKS

Applicants provide the following information and remarks responsive to the requests made in the 37 C.F.R. § 1.105 Communication as known and readily obtained by Applicants pursuant to this section:

(i) The watermelon lines disclosed in the instant application and designated as 706-1, 705-5, 742-6, 770-7, 773-5, 334-(1-6), 335-(1-6) 339-(1-6) and 340-(1-6) were all produced as follows:

Three wild species: *C. colocynthis* ("CC10"), *C. ecirrhosus* ("CE3"), or *C. rhemii* ("CR2"), which were collected in the Sinai desert and North Africa, were crossed with commercially available hybrid melons known as "Malali" and "Sugar Baby". Large F2 populations were collected and evaluated for sugar content.

After the first year 100 F3 populations were analyzed to determine the sugar ratio in each watermelon. Based on the results, F4 populations were selected. Varieties designated 706-1, 705-5 and 742-6 are all from the F6 generation. Varieties designated 334-(1-6) (also known as "334 (1-6)") and 335-(1-6) (also known as "335 (1-6)") are from the F7 generation. Varieties designated 770-7 and 773-5 are BC1F3, where the backcross (BC) was made to the background of "Malali" to improve the fruit quality. Varieties designated 339-(1-6) (also known as "339 (1-6)") and 340-(1-6) (also known as "340 (1-6)") are a further progeny of the backcross (BC1F4). Further details of the breeding protocol can be found in Yativ *et al.* (*J. of Plant Physiol.*, 167:589-596, 2010)

included in the concurrently filed Supplementary Information Disclosure Statement.

Applicants believe that the parental lines of watermelon lines "CC10", "CE3", "CR2", "Malali" and "Sugar Baby" were all publicly known or available as of the priority date of February 5, 2004.

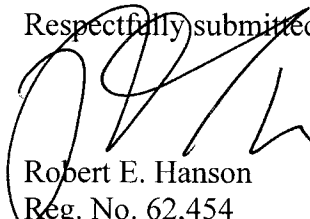
(ii) Applicants are not aware of other patents or patent applications in which the sibs or parent lines of 706-1, 705-5, 742-6, 770-7, 773-5, 334-(1-6), 335-(1-6) 339-(1-6) or 340-(1-6) are claimed.

CONCLUSION

The Examiner is invited to contact the undersigned at (214)259-0931 with any questions, comments or suggestions relating to the referenced patent application.

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Respectfully submitted,



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